

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
TUESDAY, OCTOBER 14, 2014 – 7:00 P.M.

Prayer offered by Vice Mayor Angelia Williams, followed by the Pledge of Allegiance.

The following members were present: Ms. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Mr. Winn, Ms. Williams and Mr. Fraim.

President Fraim moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

INVITATIONS TO BID

IB-1

INVITATION TO BID scheduled this day pursuant to action of the Council, under State law, public notice having been inserted in the local press by the City Clerk to accept bids for a long term garage **Parking Agreement**, with a term of ten years, for 30 residential parking spaces in the **Town Point Garage**, subject to certain terms and conditions.

Thereupon, An Ordinance entitled, “An Ordinance accepting the Bid submitted by **131 Granby LLC** for a long term garage parking agreement, with a term of ten years, for 30 residential parking spaces in the **Town Point Garage**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

IB-2

INVITATION TO BID scheduled this day pursuant to action of the Council, under State law, public notice having been inserted in the local press by the City Clerk to accept bids for a long term sublease, with a term of approximately eighteen years and two months, for a portion of that certain property known as the **Monroe Building** and located at **254 Granby Street**, for dressing rooms and scene shop space to support theatrical performances and related uses.

Thereupon, An Ordinance entitled, “An Ordinance accepting the Bid submitted by **Virginia State Company** for a Sublease, with a term of approximately eighteen years, for a portion of the **Monroe Building**, which premises are currently leased by the City from NRHA Arts Education Limited Partnership, subject to certain terms and conditions,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

PUBLIC HEARINGS

PH-1

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Edward McCullough**, to amend the City's Future Land Use Map within the General Plan, *plaNorfolk2030*, from Industrial to Multifamily Residential and for a change of zoning from I-1 (Limited Industrial) District to G-1 (Granby/Monticello Corridor Mixed Use) District on property located at **200 – 213 East 22nd Street**.

Andy McCullough, 5200 West 21st Street, G-110, the applicant, was present to answer questions.

Thereupon, An Ordinance entitled, "An Ordinance to amend the City's General Plan, *plaNorfolk2030*, **SO AS TO** change the land uses designation for properties located at **200 to 213 East 22nd Street** from Industrial to Multifamily Residential," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

PH-1A

An Ordinance entitled, "An Ordinance to rezone properties located at **200 to 213 East 22nd Street** from **I-1 (Limited Industrial)** to **G-1 (Granby/Monticello Corridor Mixed Use) District**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

PH-2

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **New Hope Church of Norfolk**, for a change of zoning from R-8 (Single-Family) and R-11 (Moderate Density Multi-Family) Districts to conditional IN-1 (Institutional) on property located at **3221 – 3229 Argonne Avenue and 3212 Brest Avenue**.

Reverend Calvin Durham, 3433 Boyce Court, was present to answer questions.

Thereupon, An Ordinance entitled, “An Ordinance to rezone properties located at **3221 to 3229 Argonne Avenue and 3212 Brest Avenue** from R-8 (Single-Family Residential) and R-11 (Moderate Density Multi-Family) to Conditional IN-1 (Institutional) District,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

PH-3

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **City Planning Commission**, for a text amendment to **Section 11-31, “Pedestrian Commercial Overlay District – 35th Street PCO (PCO-35th),”** of the City’s **Zoning Ordinance** to revise certain development standards.

Thereupon, An Ordinance entitled, “An Ordinance to amend Section 11-31 of the Zoning Ordinance of the City of Norfolk, 1992, SO AS TO modify the regulations and development standards for the 35th Street Pedestrian Commercial Overlay District (PCO-35th),” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

PH-4

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Norfolk Society for the Prevention of Cruelty to Animals, Inc. (“NSPCA”)**, to sublease a portion of the **Animal Care Center** located at **5585 Sabre Road**.

Ellis James, 2021 Kenlake Place, spoke in support of this matter.

Thereupon, An Ordinance entitled, “An Ordinance approving the Sublease to Norfolk Society for the **Prevention of Cruelty to Animals, Inc. (“NSPCA”)**, upon certain conditions, of a portion of certain property located at **5585 Sabre Road**, leased by the City of Norfolk for its **Animal Care Center**, and authoring the City Manager to negotiate and execute a Sublease Agreement on behalf of the City,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

CONSENT AGENDA

C-1

Letter from the City Clerk presenting the request of Holidays in the City for use of the **Mace** during the **30th Annual Holidays in the City Grand Illumination Parade** to be held on **Saturday, November 22, 2014**.

ACTION: Use of the Mace and Police Honor Guard.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

REGULAR AGENDA

R-1

Matter of a letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment known as ‘Fifty Eighteen’ on property located at **5018 East Princess Anne Road,**” was introduced in writing and read by its title.

(Passed by at the Meeting of September 9, 2014)

The following persons were present to speak on this matter:

Proponents: Damain Wright, the, applicant, 5573 Brickell Road, Gabriel Rapisardi, 304 Twilley Street, and Hayward Cuffee, 3123 Oklahoma Avenue, who did not wish to speak. **Opponent:** John Scott, 5026 East Princess Anne Road, Fox Hall Civic League Rep

ACTION: Continued to October 28, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-2

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment known as ‘**UMO**’ on property located at **4117 Granby Street, Suite A,**” was introduced in writing and read by its title.

Allan Baesen, 417 Granby Street, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment known as ‘**360 Asian Diner and Sports Bar**’ on property located at **5957 East Virginia Beach Boulevard, Suite 18,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment known as ‘**The Norva**’ on property located at **317 Monticello Avenue** and ‘**FM Restaurant**’ on property located at **320 Granby Street,**” was introduced in writing and read by its title.

Rick Henn, 1400 Granby Street, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, and Winn.

No: None.

Abstained: Fraim.

R-5

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as ‘**The Fresh Market**’ on property located at **924 West 21st Street,**” was introduced in writing and read by its title.

Bruce Thompson, 924 West 21st Street, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-6

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as **‘Princess Anne Shell’** on property located at **3502 East Princess Anne Road,**” was introduced in writing and read by its title.

Manoj Shresetea, the applicant, 3502 East Princess Anne Road, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Smigiel, Whibley, Williams, Winn, and Fraim.

No: Riddick.

R-7

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment known as **‘Kappo Nara Ramen’** on property located at **2000 Colonial Avenue, Suite 7,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-8

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment known as **‘Briki Coffee House’** on property located at **4117 Granby Street, Suite C,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-9

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to operate an entertainment establishment with no alcoholic beverages known as ‘**Juice Bar Juices**’ on property located at **245 Granby Street, Suite 247,**” was introduced in writing and read by its title.

Joseph Wright, 245 Granby Street, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-10

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of an eating and drinking establishment known as ‘**Nouvelle Restaurant**’ on property located at **217 Grace Street,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-11

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as ‘**MacArthur Pharmacy**’ on property located at **261 Granby Street,**” was introduced in writing and read by its title.

Rick Henn, 1400 Granby Street, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-12

Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Robert J. Baines and Earnestine Baines** to encroach up to 2.5’ with a stockade fence onto City property at **2728 Tait Terrace**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-13

Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **BGK Main Street Tower Operating Associates, Limited Partnership** to encroach 5’ by 45’ into a City pedestrian easement with a handicap ramp, landing, steps, and railing at **300 E. Main Street**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-14

Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Old Dominion University** to encroach into the rights of way of **43rd Street, 49th Street** and **Powhatan Avenue** with pedestrian crosswalks, signage and lighting signs,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-15

Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Liberty Street, LLC** to encroach 71”± into the right-of-way of **Granby Street** at **763 Granby Street** with a 65”± high by 34”± long by 20”± wide sign, the bottom of which is 9’-11”± above the sidewalk, and 12”±, with a roof cornice,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-16

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting **Metro Machine Corporation** permission to encroach into the right-of-way of **Ligon Street** with a parking lot, subject to certain conditions,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-17

Letter from the City Manager and an Ordinance entitled, “An Ordinance finding a public necessity for the acquisition in fee simple of certain property located at **Chesapeake Boulevard and East Little Creek Road** as additional right of way for the purpose of providing pedestrian and vehicular improvements; approving the acquisition of the property by **Purchase Agreement or Condemnation**; and authorizing the expenditure of a sum of up to \$15,000.00 from funds heretofore appropriated for acquisition of property and all related transactional cost,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-18

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting permission to **Norfolk Housing, LLC** to encroach into the right-of-way of **39th Street** between **Hampton Boulevard** and **Killam Avenue** for the purpose of maintaining an elevated enclosed walkway, two support piers, and 6-inch fire protection line,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-19

Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Bethel I, L.L.C.** and **Aston Shelton Enterprises, L.L.C. T/A Cure** to encroach into the right-of-way of **Botetourt Street** at **503 Botetourt Street** with a table and two chairs for the purpose of outdoor dining in accordance with the terms and conditions of the **Encroachment Agreement**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-20

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting permission to **Adams Outdoor Advertising, Inc.**, to encroach onto **City of Norfolk** property at **240 S. Military Highway** with an existing 16'± by 24'± outdoor advertising sign,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-21

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting **Granby Mobil Corporation d/b/a Granby Shell** permission to encroach into the rights-of-way of **Granby Street** and **Llewellyn Avenue** and approving the terms and conditions of the **Encroachment Agreement**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-22

Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend **Section 14.1-85, Chrysler Museum Precinct, SO AS TO** change the address of its voting place,” was introduced in writing and read by its title.

Ellis James, 2021 Kenlake Place, expressed concerns over the flooding in that area, stating that it may prevent voters from having access to the voting percent.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-23

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting, appropriating and authorizing the expenditure of \$5,000 in grant funds, if and when received from the **Commonwealth’s Virginia Commission for the Arts**, for distribution on a competitive basis to local arts organizations, and authorizing the additional expenditure of \$5,000, previously appropriated, as a local cash match,” was introduced in writing and read by its title.

Debra Burrell, 208 East Main Street, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-24

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting from the **Virginia Department of Motor Vehicles** a selective enforcement grant award of \$39,360.00, for police officers’ overtime pay to assist with selective enforcement-alcohol initiative and for equipment purchases; a grant award of \$26,360.00 for police officers’ overtime pay to assist with selective enforcement-speed initiative, authorizing the expenditure of the grant funds and authorizing the expenditure of local match of \$19,680.00 and 13,180.00, respectively, as in-kind services by the **Norfolk Police Department**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-25

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving the substitution of a **Regional Consent Order**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-26

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting \$22,500 in funds from the **Virginia Department of Criminal Justice Services** and appropriating and authorizing the expenditure of the grant funds and \$2,500 in local cash matching funds for the **Program** for total program funding in the amount of \$25,000,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-27

Letter from the City Manager and a Resolution entitled, “A Resolution approving the **Commonwealth of Virginia Department of Transportation’s** proposed design features for the **Military Highway Widening Continuous Flow (CFI) Project, 0165-122-181, RW-201, C-501, UPC 1765**; requesting the **Commonwealth of Virginia** to acquire and convey to the **City of Norfolk** all rights-of-way necessary for the project; and authorizing the execution of all necessary **Agreements** on behalf of the **City of Norfolk**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-28

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **7-11, \$5,492.35 plus interest** based upon the overpayment of Business Personal Property Taxes for 2014,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-29

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **7-11, \$4,061.93 plus interest** based upon the overpayment of Business Personal Property Taxes for 2014,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-30

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Appliance Warehouse of America, Inc., \$9,255.46 plus interest** based upon the overpayment of Business Personal Property Taxes for 2014,” was introduced in writing and read by its title

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-31

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Clark Nexsen, Inc., \$113,256.60 plus interest** based upon the overpayment of Business License Taxes for 2014,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-32

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Entercom Norfolk, LLC, \$3,787.26 plus interest** based upon the overpayment of Business Personal Property Taxes for 2014,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-33

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **G. C. of Norfolk L.L.C., \$4,308.03 plus interest** based upon the overpayment of Business Personal Property Taxes for the Tax Years of 2013 and 2014,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-34

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Neff Rental, LLC, \$9,643.73 plus interest** based upon the overpayment of Short-Term Rental and Business License Taxes for 2014,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-35

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Piedmont Hawthorne Aviation, L.L.C., \$8,731.88 plus interest** based upon the overpayment of Business Personal Property Taxes for 2013,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-36

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Sinclair Communications, \$12,750.00 plus interest** based upon the overpayment of Business Personal Property Taxes for 2013,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-37

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **W.R. Systems, \$5,569.56 plus interest** based upon the overpayment of Business License Taxes for 2014,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-38

Letter from the City Manager and an Ordinance entitled, “An Ordinance designating a portion of **Park Avenue** as **James A. Clark Avenue**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-39

Letter from the City Manager and an Ordinance entitled, “An Ordinance designating a portion of **May Avenue** as **Reginald D. Walker, Sr. Avenue**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective October 14, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-40

Letter from the City Auditor requesting confirmation of **Mr. James Tarantino** as **Assistant City Auditor II**, October 20, 2014,” was introduced in writing and read by its title. 6

ACTION: Appointment confirmed.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

NEW BUSINESS

1. Mary Simpson-Jones, 7505 Paulin Court, spoke about an incident that happen to her while walking the Granby High School tracks between 5-5:30a.m., and spoke of the unprofessionalism she received by the school principal.
2. James Duck, 3142 North Stonebridge Drive, spoke to Council, as a follow-up to an incident that happen to his 12 year old granddaughter in the NPS, asking for accountability for the officer actions.
3. Janice McKee, 903 Hatton Street, expressed her concerns over the new Campostella School.
4. Barrett Hicks, 4853 Kennebeck Avenue, spoke to Council about the youth, community and the new Campostella School.

5. Ginny Bobby, 1714 Ashland Avenue, spoke to Council about her daughter who has autism and how she is being discriminated and harassed in NPS, because of her disability.
6. Betty Potts, 1709 Montclair Avenue, expressed her concerns over the new Campostella School.
7. Joe Cook, 1147 Surrey Crescent, commented on various topics.
8. Danny Lee Ginn, 3845 Dare Circle, commented on good government.